REMARKS

Claims 1-5 and 13-19 are now pending in this application with claims 1 and 13 being independent claims. Claims 6-12 were previously canceled. In the November 20, 2009 non-final office action, the Examiner rejected claims 1-5 and 13-19 (the only remaining claims) under both 35 U.S.C. § 112 and 35 U.S.C. § 103.

The 35 U.S.C. § 112 rejection alleges that the specification is non-enabling and indefinite with respect to the meaning and structure of "logical IP set." However, Applicant believes it is obvious to one skilled in the art after reading the specification what a "logical IP set" entails. "IP set" and "logical IP set" are used throughout the specification and drawings of the present application. In reference to FIG. 1, page 8 of the present application states, "telephony devices, such as, for example, digital sets 12, IP sets 14, and SIP sets 16." On page 9 of the present application, applicant states, "[t]he IP sets 14 may take the form of any conventional digital telephony device capable of interfacing with the IP-PBX 10 over the communications network 22 via PDSV-over-IP messages."

Page 10 of the present application in relevant part states:

> In order to reconcile the differences in the master-slave and peer-to-peer modes of handling media flows and properly interface the IP-PBX 10 to the SIP network, the SIP-PBX proxy server 18 maintains a logical IP set 24 for each SIP set 16 on the SIP network that maintains IP based signaling and media connectivity with the IP-PBX 10. The logical IP sets 24 implement operations, such as handshaking and firmware download, typically implemented by physical IP sets.

The specification states that "[t]he server further receives media directed to the logical device and redirects the media to the first device" and "each logical IP set can receive signaling

and media on separate IP UDP or TCP ports." *See* application, p. 3 and p.14. FIG. 1 further shows a separate logical IP set 24 for each SIP set 16. In combination, these various sections of the application make it clear what a "logical IP set" entails. From the extensive disclosure in the specification, it is apparent that each "logical IP set" is maintained by the server and is separately addressable. Each "logical IP set" implements operations such as handshaking and firmware download and exists in one-to-one correspondence with each SIP set on the SIP network that maintains IP based signaling and media connectivity with the IP-PBX.

In issuing the 35 U.S.C. §103 rejection, Examiner indicates that the "state machines" of United States Patent No. 7,058,082 ("Bhat") are the equivalent of the logical IP sets of independent claims 1 and 13. However, Applicant respectfully submits that the "state machines" of Bhat do not perform the same functions as the logical IP sets of the present invention. For example, they do not implement operations, such as handshaking and firmware download, typically implemented by physical IP sets. Claims 1 and 13 have been amended to explicitly state that the logical IP sets implement operations including handshaking and firmware download typically implemented by physical IP sets.

Claims 2-5 and 14-19 depend either directly or indirectly from claims 1 and 13 and are allowable for at least the same reasons claims 1 and 13 are allowable.
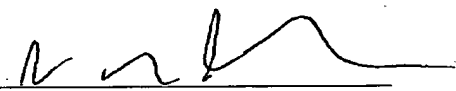
Serial No.: 10/741,306
Group Art Unit: 2473
Examiner: Jeffrey M. Rutkowski

CONCLUSION

For the above reasons, the foregoing amendment and response places the Application in condition for allowance. Therefore, it is respectfully requested that the rejection of the claims be withdrawn and full allowance granted. Should the Examiner have any further comments or suggestions, please contact the undersigned at 512-306-8533.

Respectfully submitted,

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